

BUCKFASTLEIGH TOWN COUNCIL

Minutes of the Planning, Environment and Transport Meeting held on 4th October 2017.

Present: Councillors Janet Jones (Chair), Ron Fox, Mark Maish, Linus McCloskey, Judith Hart (Town Clerk) and Matt McLeod (Town Ranger)

In attendance: 6 representatives of the Buckfastleigh Community Forum regarding planning application DCC/3784/2015 – variation of Condition 1 to extend permission to 31st July 2018 for use of offices, workshop and storage at Whitecleave Quarry, Plymouth Road, Buckfastleigh

Part I (Open to the Public)

17/81. Questions raised by the public:

The Chair welcomed the public and explained that both the new planning application for Whitecleave Quarry and the Devon County Council (DCC) response to the letter of complaint sent on 12th September by the Town Council will be agenda items at the October full Council meeting, but would be pleased to hear initial comments from the public on both matters at this meeting.

Member of the Public: *How can objections be made to an application that has expired? It is understood that the planning officer is now taking legal advice on this matter.*

Member of the Public: *Is this a ploy to extend planning permission?*

Member of the Public: *DCC will not undertake enforcement action while there is an outstanding planning application so is this a stalling tactic?*

It was agreed that the new planning application is invalid and that enforcement procedures should have been undertaken when the temporary permission ceased on 8th June 2017.

Member of the Public: *Now we face another winter of noise from the quarry and another year of activity while the operator remains on site.*

Member of the Public: *DCC is responsible for 60 quarries across the county so how can a long serving officer make so many mistakes with respect to the notice that was required to be served on the operator one year in advance of the ROMP review? The community is being treated with contempt by the planning authority.*

Member of Public: *Why did it take so long to discover this mistake?*

It was suggested that the Town Council seeks legal advice, but it was agreed that this would have to be discussed and approved by full Council due to the cost and time implications.

The public left the meeting.

17/82. Apologies for absence: Cllrs Pam Barrett, Andy Stokes and Pamela Forbes

17/83. Declaration of Interests: None

17/84. To approve & sign as a correct the Minutes of the Planning, Environment and Transport Committee meeting on Wednesday 6th September 2017.

Signed by Cllr Mark Maish

17/85. Review of actions from previous meeting:

Green Policy for the Parish – Cllr Mark Maish confirmed that he had met with Brian Beasley (DNPA Trees and Landscapes Officer), Dan Murphy (Town Council volunteer for the pond) and the Town Ranger concerning a management plan for the duck pond. Planning consent will be given to carry out remedial tree works, but it has been agreed that a diseased ash should also be felled following further inspection and that the Town Council will need to seek permission from the planning authority.

Action: Town Ranger to liaise with Brian Beasley on this matter.

The Clerk and Town Ranger requested clarification regarding the Council's initial response to the use of non-organic herbicides and pesticides by Teignbridge District Council (TDC). It was noted that TDC contractor has weeded all the car parks in the town centre without the use of chemicals as requested by the Town Council, but have advised that removing the smaller weeds is detrimental to the integrity of the surface of the car parks and is not a long-term solution.

Cllr Maish suggested that this could be resolved with the use of a strimmer and that the Town Council has only requested that glyphosate based products are not used.

TDC have explained that manual weeding is not cost effective. The Clerk and Town Ranger have also received complaints from residents concerning the increasing weed problem across the parish and need guidance to justify the stance taken by the Council.

Members agreed that a comprehensive policy is required, but it was acknowledged that the Council does not currently have the resources to undertake such a significant and large piece of work.

Decision: Town Ranger to monitor and continue to liaise with TDC

Dartmoor Local Plan Settlement Profiles – Consultation with Parish and Town Councils –

The Clerk confirmed that all the errors identified on the settlement profile for Buckfastleigh had been noted and submitted to the planning authority.

Whitecleave Quarry update and draft letter of complaint to Devon County Council – The Clerk advised that the final approved letter had been sent to DCC on 12th September 2017 and that a response was received on 2nd October 2017. This will be an agenda item at the October Town Council meeting.

Buckfastleigh Helipad – Update provided at the September Town Council meeting. John Bailey, Chair of Buckfastleigh Rangers Football Club will be commissioning the works required as agreed with the Town Council and Devon Air Ambulance.

17/86. Planning Applications:

Application 0449/17 Proposed: replacement windows at Ratio House, Mardle Way Buckfastleigh
No objection to the work being carried out as detailed in the quote provided by the applicant.

Application 0466/17 Proposed: Rear kitchen extension at 10 Wallaford Road, Buckfastleigh

No objection

17/87. Planning Applications received after Agenda set: None

17/88. To discuss proposals for the removal/maintenance of the Fore Street benches:

The Clerk confirmed that although TDC installed the public benches in Fore Street as part of the enhancement scheme in 2000, they no longer accept responsibility for the repair or replacement. Due to the public safety implications, the Clerk advised Members that the Town Council should accept responsibility and following an inspection by the Town Ranger, the bench at the lower end of Fore Street should be removed as soon as possible due to its poor condition.

Action: Bench to be removed at the earliest opportunity and not replaced due to its location and lack of use. Members to consider at a later date alternative designs for the replacement of the remaining two benches at the top end of Fore Street and how this will be funded. The Clerk suggested using part of the Community Infrastructure Levy which will be discussed further at a Finance Committee meeting.

Clerk to send a short article to the Community News Sheet to advise why the above action is being taken and to ask for suggestions from residents concerning the design of new benches.

17/89. The development of a Green Policy for the Parish update:

Item covered under Agenda item No. 5 Review of actions from previous meeting.

17/90. Community Road Warden Scheme:

The Town Ranger has undertaken Chapter 8 training with DCC to ensure safe practice when working on or near a public highway. The Council have now been asked to sign an agreement with DCC under the Community Road Warden Scheme. By signing this document, the Town Council would be accepting direct responsibility to undertake minor works such as filling in small pot holes. DCC do not provide any risk assessment training and Devon Highways will not endorse any work undertaken by the Ranger which could leave the Council open to expensive and lengthy litigation.

The Ranger is covered by the Town Council's employee liability insurance which may put an additional burden on Council funds if there is an accident or injury. Although the Ranger has been provided with protective clothing and tools, minor works to a highway requires a substantial amount of preparation and equipment which is beyond the remit and resources of the Town Council for eg. traffic lights, a suitable vehicle to transport equipment and materials etc. There is also the assumption that the Council would have the assistance of volunteers. The insurance offered by DCC is also woefully inadequate.

Decision: Members agreed that the Town Council will not sign up to the Community Road Warden Scheme. Clerk to send a letter to this effect.

17/91. Mineral Safeguarding Draft Supplementary Planning Document Regulations 12 and 13 consultation September 2017 – comments to be submitted by 16th October 2017:

Action: Cllr Janet Jones to examine the document and its relevance to Buckfastleigh for comment.

17/92. Whitecleave Quarry update:

Item discussed during the public session and referred to the October Town Council meeting.

17/93. Register of Community Assets update:

The meeting with the new TDC Estates Manager has been postponed until later in the month. Item deferred.

17/94. To discuss the planning, management and communications issues for projects which are within the remit of this committee:

No further updates to report at this meeting.

17/95. Correspondence: None

17/96. Items requiring urgent attention: None

Meeting closed at 8.55pm